

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARTEZ DEMARIO STEWART,

Defendant-Appellant.

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UNPUBLISHED

March 16, 2001

No. 221310

Jackson Circuit Court

Family Division

LC No. 98-88206 DL

Before: Saad, P.J., and White and Hoekstra, JJ.

WHITE, J. (*dissenting*).

This was, indeed, a brutal, senseless, and tragic murder of an innocent young girl. Nevertheless, I conclude that the family court abused its discretion when it sentenced this thirteen-year-old offender to life imprisonment under the circumstances that there was expert testimony that defendant could be rehabilitated, and the court did not find that he could not be rehabilitated.

/s/ Helene N. White